

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

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In re:

PENNY ANN BRADLEY,

Debtor.  
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Chapter 11

Case No.: 18-10122 (JLG)

**ORDER DISMISSING CHAPTER 11 CASE**

Upon the motion of Penny Ann Bradley, the Chapter 11 debtor and debtor-in-possession (“Debtor”), by her special counsel, seeking entry of an Order, pursuant to 11 U.S.C. §§ 105, 305 and 1112(b), dismissing her Chapter 11 case and granting related relief (“Motion”) [ECF No. 248]; and appropriate notice of the Motion having been given; and upon the objection of Atlas Union Corp. to the Motion (“Atlas Objection”) [ECF No. 263]; and upon the joinder of NSM82 LLC to the Atlas Objection (“NSM Joinder”) [ECF No. 266]; and upon the opposition of joinder of Slawomir Konopka to the Atlas Objection and NSM Joinder (“Konopka Joinder”) [ECF No. 272]; and upon the initial hearing held before this Court on April 28, 2020; and upon the letter dated June 15, 2020 filed on behalf of the Debtor [ECF No. 308]; and upon the letter dated June 16, 2020 withdrawing, inter alia, the Atlas Objection [ECF No. 309]; and upon the letter dated June 16, 2020 withdrawing, inter alia, the NSM Joinder [ECF No. 310]; and upon the notice dated June 17, 2020 withdrawing the Konopka Joinder; and upon the hearing held at an adjourned date of June 18, 2020 (“Hearing”), the record of which is incorporated herein by reference; and all objections to the Debtor’s request to the dismiss the case being withdrawn; and this Court having jurisdiction to consider the Motion; and upon all the prior proceedings had herein; and after due deliberation of all the facts and circumstances; and cause existing for the

relief requested; and it appearing that the relief requested is in the best interests of the Debtor and her creditors; and no additional or further notice being necessary or required; it is hereby

**ORDERED** that the Motion is granted; and, it is further

**ORDERED** that the Debtor's Chapter 11 case is dismissed; and, it is further

**ORDERED** that, pursuant to section 349 of the Bankruptcy Code, any prior Order of this Court shall survive the dismissal of this case, and this Court shall retain jurisdiction to adjudicate any dispute concerning the implementation of, or to enforce, the foregoing; and, it is further

**ORDERED** that, within ten days of the entry of this Order, the Debtor shall pay to the United States Trustee the appropriate sum required pursuant to 28 U.S.C. § 1930(a)(6) and 31 U.S.C. § 3717 and simultaneously provide to the United States Trustee an appropriate affidavit indicating the cash disbursements for the relevant period; and, it is further

**ORDERED**, that the motion to convert filed by the Office of the U.S. Trustee is hereby deemed moot; and, it is further

**ORDERED**, that the Court shall retain jurisdiction over any disputes regarding any settlement stipulations entered into by the Debtor and the creditors during the pendency of the Debtor's Chapter 11 case; and, it is further

**ORDERED** that the Debtor is authorized and directed to take such actions, execute such documents, and expend such funds as may be necessary to effectuate the terms and conditions of this Order.

Dated: July 11, 2020  
New York, New York

/s/ James L. Garrity, Jr.  
Honorable James L. Garrity, Jr.  
United States Bankruptcy Judge